

**MARCH 8, 2011**  
**CITY OF COLLEGE PARK**  
**COUNCIL CHAMBERS**

**7:00 P.M.**  
**PUBLIC FORUM**  
**FY 2012 ACTION PLAN OF THE**  
**2010-2015 CITY OF COLLEGE PARK STRATEGIC PLAN**

**8:00 P.M.**  
**MAYOR AND COUNCIL MEETING**  
**AGENDA**

MEDITATION

PLEDGE OF ALLEGIANCE: Councilmember Nagle

ROLL CALL

MINUTES: Special Session February 15, 2011, Public Hearing on February 22, 2011 for 11-O-01,  
Regular Meeting February 22, 2011

ANNOUNCEMENTS

ACKNOWLEDGMENT OF DIGNITARIES

ACKNOWLEDGMENT OF NEWLY APPOINTED BOARD AND COMMITTEE MEMBERS

AWARDS

PROCLAMATIONS

AMENDMENTS TO THE AGENDA

CITY MANAGER'S REPORT

STUDENT LIAISON COMMENTS: Brian Burrell

COMMENTS FROM THE AUDIENCE ON NON-AGENDA ITEMS

PRESENTATIONS

**CONSENT AGENDA**

None.

**ACTION ITEMS**

11-G-26 Approval For The City To Pay Off The Bank Of America  
City Hall Development Refunding Note Of 2000 In The  
Amount Of \$160,000 From Undesignated Reserve Funds.

Motion by: Perry  
To: Approve  
Second:  
Aye: \_\_\_\_\_  
Nay: \_\_\_\_\_ Other: \_\_\_\_\_

- |         |   |  |
|---------|---|--|
| 11-G-33 | Approval, With Conditions, Of Departure From Parking And Loading Standards (DPLS 354) For Mosaic At Turtle Creek, Possible Amendments To Declaration Of Covenants And To Memorandum Of Understanding Regarding Annexation | Motion by: Catlin<br>To: Approve<br>Second:<br>Aye: _____<br>Nay: _____ Other: _____   |
| 11-G-34 | Award of Contract to Shapiro & Duncan, Inc. for \$122,000 for Davis Hall HVAC renovations and authorization for the City Manager to sign the contract   | Motion by: Perry<br>To: Approve<br>Second:<br>Aye: _____<br>Nay: _____ Other: _____    |
| 11-G-35 | Approval Of A Letter To WMATA Regarding Replanting And Safety Issues At The West Entrance To The Greenbelt Metro Station  | Motion by: Wojahn<br>To: Approve<br>Second:<br>Aye: _____<br>Nay: _____ Other: _____   |
| 11-G-36 | Appointment of the Board of Election Supervisors  | Motion by: Stullich<br>To: Approve<br>Second:<br>Aye: _____<br>Nay: _____ Other: _____ |
| 11-G-37 | Approval Of A City Position Regarding A Request By Albar, LLC, 7416 Baltimore Avenue, College Park t/a Thirsty Turtle Regarding Revocation/Forfeiture Of Their Alcoholic Beverage License                                 | Motion by:<br>To: Approve<br>Second:<br>Aye: _____<br>Nay: _____ Other: _____          |

COUNCIL COMMENTS

COMMENTS FROM THE AUDIENCE

ADJOURN

---

---

In accordance with the Americans With Disabilities Act, if you need special assistance, you may contact the City Clerk's Office at 240-487-3501 (or if hearing impaired, 711), and describe the assistance that is necessary.  
This agenda is subject to change. For current information, please contact the City Clerk.

Upcoming Meetings:

- Tuesday, March 22, 7:30 p.m. – Public Hearing on 11-O-02 (Furniture)
- Tuesday, April 26, 7:30 p.m. – Public Hearing on 11-O-03 (Zoning)
- Tuesday, May 10, time TBD – Public Hearing on FY 2012 Budget

**ACTION**


**PLAN**

**PUBLIC**

**FORUM**

## MEMORANDUM

---

**TO:** Mayor and City Council  
**FROM:** Chantal R. Cotton, Assistant to the City Manager   
**THROUGH:** Joseph L. Nagro, City Manager  
**DATE:** March 4, 2011  
**SUBJECT:** FY 2012 Action Plan Public Forum

---

### SUMMARY

Per the Mayor's request, I've prepared a brief presentation with background information about the Strategic Plan as well as the purpose of the Public Forum on the FY 2012 Action Plan draft. The presentation and second DRAFT (February 2011) copy of the FY 2012 Action Plan are attached to this memo.

### DISCUSSION

You can find the FY 2012 Action Plan second DRAFT (February 2011), the FY 2011 Action Plan, and the Strategic Plan 2010-2015 available on the website at the following link: [www.collegeparkmd.gov/special\\_reports.htm](http://www.collegeparkmd.gov/special_reports.htm).

### RECOMMENDATION

Please review this presentation as well as the draft copy of the FY 2012 Action Plan prior to the Public Forum on Tuesday, March 8, 2011.

### ATTACHMENTS

- **Attachment 1:** FY 2012 Action Plan PowerPoint Presentation for March 8, 2011 Public Forum
- **Attachment 2:** FY 2012 Action Plan second DRAFT (February 2011)

Public Forum  
March 8, 2011  
7:00pm - City Hall

## FY 2012 ACTION PLAN

## STRATEGIC PLAN BACKGROUND

- **2008:**
  - The City Council Strategic Planning Subcommittee formed.
  - Subcommittee revised and updated the goals of the City 1995 Comprehensive Plan.
- **2009:**
  - City contracted with Managance Consulting & Coaching to facilitate the strategic planning process.
  - Process included 3 focus groups and an online survey.
- **2010:**
  - City Council conducted 2 public hearings about the Strategic Plan and the FY 2011 Action Plan.
  - City Council approved the Strategic Plan 2010-2015 and FY 2011 Action Plan in August 2010.

2

## STRATEGIC PLAN MISSION STATEMENT

The City of College Park encourages broad community involvement and collaboration, and is committed to:

- Enhancing the quality of life for everyone who lives, raises a family, visits, works, and learns in the City; and
- Operating a government that delivers excellent services, is open and responsive to the needs of the community, and balances the interests of all residents and visitors.

3

## STRATEGIC PLAN PRIORITIES

- Priorities for City Services and Initiatives:
  - Transportation
  - Community Services
  - Environment and Sustainability
  - Neighborhoods
  - Economic Development

4

## STRATEGIC PLAN GOALS

- **Goal I:** Consistent high-quality and cost-effective public services that contribute to a safe and welcoming community for all.
- **Goal II:** Convenient transportation options that improve local travel and manage congestion.
- **Goal III:** Lead the community in environmental conservation, protection, restoration, and energy efficiency.
- **Goal IV:** Neighborhoods that are safe, peaceful, attractive and retain their community character.
- **Goal V:** Expand the local economy and tax base.

5

## STRATEGIC PLAN OBJECTIVES

- Each Strategic Plan goal contains objectives which further clarify the goal.
- Council established two new objectives for the FY 2012 Plan:
  - Improve customer / constituent service to better serve College Park residents. (*Goal 1; Objective 5*)
  - Improve traffic, pedestrian, and bicycle safety. (*Goal 2; Objective 4*)

6

## ACTION PLANS

- Action Plans provide specific steps to accomplish goals and objectives each fiscal year.
- The FY 2011 Action Plan was adopted in August 2010.
- City Council brainstormed action items for the FY 2012 Action Plan draft.
- The City website contains both Action Plans. See them here: [www.collegeparkmd.gov/special\\_reports.htm](http://www.collegeparkmd.gov/special_reports.htm)

7

## FY 2012 ACTION PLAN TIMELINE

- **February 2011:** Council brainstorming and draft compilation.
- **March 2011:** Community comments on plan through the Public forum, community meetings, and written suggestions about the plan.
- **May or June 2011:** Council finalizes and approves the FY 2012 Action Plan.
- **FY 2012 Action Plan** informs activities from July 1, 2011 to June 30, 2012.
- Status updates periodically provided to Council.

8

## PUBLIC COMMENTS

*Check [www.collegeparkmd.gov/special\\_reports.htm](http://www.collegeparkmd.gov/special_reports.htm) for updated versions of the draft plan.*

9

# ATTACHMENT 2

## City of College Park Strategic Plan 2010 – 2015 FY 2012 Action Plan SECOND DRAFT (February 2011)

This action plan aligns with the Strategic Plan adopted by City Council August 10, 2010. As an annual road map for strategic plan implementation, this action plan intentionally focuses on a relatively manageable and strategic set of actions for one fiscal year. The steps included in this plan are assumed to have a finite scope (ideally within 1 year) and are strategically oriented towards change and improvement in College Park. Before the end of FY 2012, City Council and City Staff will develop an action plan for FY 2013. It is understood that some activities in the FY 2012 action plan will be repeated in the plan for FY 2013 and beyond because they span multiple years and are considered ongoing. (Note: In the deadline column "ongoing" indicates items that will likely continue each year of the strategic plan; "date +" indicates items that may go into another fiscal year, but will have a specific end date.) The steps in this action plan are in addition to ongoing daily operations and recurring annual activities in the City.

Resource needs indicated are those that would be required beyond existing staff time.

City Council and City Staff will annually review and update the action plan in conjunction with the annual budget development process. Action steps that may not be completed in one year will be reconsidered and where decided, carried forward into to the next year.

**Following is a list of organization and initiative abbreviations that may appear throughout the action plan. The organizations represent some of the many supporting partners of the City identified in the strategic plan.**

ATHA – Anacostia Trails Heritage Area  
CBE – Community for a Better Environment  
COG – Metropolitan Washington Council of Governments  
COPS – Community Oriented Police Services  
CPAE – College Park Arts Exchange  
CPNW – College Park Neighborhood Watch  
CPCUP – College Park City-University Partnership  
DCPMA – Downtown College Park Management Authority  
DOT – Department of Transportation  
EAC – Education Advisory Committee  
EPA – Environmental Protection Agency  
ESL – English as a Second Language  
HUD – Department of Housing & Urban Development  
MHAA – Maryland Heritage Areas Authority  
M-NCPPC Maryland-National Capital Park & Planning Commission  
PG DPW&T - Prince George's County Department of Public Works & Transportation  
PGPD - Prince George's County Police Department

PGPOA Prince George's Property Owners Association  
SHA – State Highway Administration  
SRTSP – Safe Routes to School  
TMA – Transportation Management Authority  
UM – University of Maryland  
WMATA – Washington Metro Area Transit Authority  
YSB – Youth Services Bureau  
TBD – To Be Determined

**Goal I: Consistent high quality and cost-effective public services that contribute to a safe and welcoming City for all.**

**Objective 1: Improve public safety and reduce crime by utilizing contract police officers, collaborating with other police agencies, and encouraging community participation.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Evaluate the impact and effectiveness of existing security cameras; if the results show positive effects, seek funding to expand the number of security cameras.	Public Services	Q1	Q4	Grant funding; assistance from the UMD Police Department.	
b. Hold a multi-police-agency meeting to improve coordination of police resources throughout the City to more effectively utilize police.	Public Services, City Council	Q1	Q4		
c. Expand and develop Neighborhood Watch hierarchy and structure: establish coordinators in every neighborhood.	City Council Neighborhood Watch subcommittee	Q1	Q4		
d. Have a discussion with PGPD and UMPD to create metrics for determining concurrent jurisdiction areas.	City Council	Q1	Q4	Worksession	
e. Work with Neighborhood Watch leadership and community liaison officers to explore ways to better disseminate crime information.	Public Services, Neighborhood Watch subcommittee	Q1	Q4		

**Action Plan Notes:**



**Goal I: Consistent high quality and cost-effective public services that contribute to a safe and welcoming City for all.**

**Objective 2: Improve local schools that serve City of College Park residents through collaboration with strategic partners including the Prince George's County Public Schools and the University of Maryland.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Implement strategies to showcase the value and accomplishments of City schools.	EAC, City staff with school leaders	Q1	Q4	CPCUP	

**Action Plan Notes:**

Goal I: Consistent high quality and cost-effective public services that contribute to a safe and welcoming City for all.

Objective 3: Expand recreational, social and cultural activities for city residents.

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Increase marketing of existing events and attractions in the City; promoting free activities offered by other entities.	Economic Development, Recreation Board	Q1	Q4	<ul style="list-style-type: none"> <li>- Potentially an electronic central community calendar (maybe using <a href="http://www.shopcollegepark.org">www.shopcollegepark.org</a>).</li> <li>- Incorporate this into website editing.</li> <li>- M-NCPPC and CP&amp;E pamphlets in City Hall.</li> </ul>	
b. Research feasibility to establish / help establish a College Park Foundation to assist with fundraising for College Park Day and other city events and organizations.	City Council, City Council resident subgroup	Q1	Q2	Discussion scheduled for the 3-1-11 Council worksession.	

**Action Plan Notes:**

**Goal I: Consistent high quality and cost-effective public services that contribute to a safe and welcoming City for all.**

**Objective 4: Strengthen well-being of residents that seek assistance through youth, family and seniors program.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Expand public information about available senior programs.	Seniors staff	Q1	Ongoing		
b. Conduct a survey of residents at Spellman House and Attick Towers and invite CPHA and Seniors Program staff to discuss results.	Seniors staff, City council	FY 2011	Q3	Include the Housing Authority in the survey process.	

**Action Plan Notes:**

**Goal I: Consistent high quality and cost-effective public services that contribute to a safe and welcoming City for all.**

**Objective 5: Improve customer / constituent service to better serve College Park residents.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Provide staff training for continuous quality improvement in resident relations / constituent services, including timely responses to phone calls.	Human Resources with department directors	Ongoing	Ongoing	Potentially additional funding if this exceeds the training budget.	
b. Improve presentation and user-friendliness of the City website; include social media options where possible.	IT, consultant	Q1	Q4	- Consultant services - 3-person citizen committee	
c. Consider options to prevent online service outages (e.g. - a generator).	IT, Public Works, City Council	Q1	Q4		

**Action Plan Notes:**

**Goal II: Convenient transportation options that improve local travel and manage congestion.**

**Objective 1: Advocate for state and other resources to rebuild Route 1 to improve its safety, efficiency, and appearance.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Lobby State Legislature, State Highway Administration and County Council to allocate funding to rebuild Route 1.	City Council	Q1	Ongoing		
b. Require developers to implement street section with new development or, if not feasible, pay a fee-in-lieu.	City Council, Planning Dept.	Q1	Ongoing		
c. Establish a Tax Increment Financing (TIF) district strategy to help fund infrastructure improvements.	City Council, Planning Dept.	Q1	Q4		

**Action Plan Notes:**

**Goal II: Convenient transportation options that improve local travel and manage congestion.**

**Objective 2: Support development of transit options that increase convenience, accessibility, and mobility.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Market and brand THE BUS Route 17 as a Route 1 Main Street shuttle.	City Council	Q1	Ongoing	PG DPW&T, COG, WMATA	
b. Implement Route 1, Rhode Island Ave., Campus Drive, and other priority bus corridor enhancements.	City Council	Q1	Ongoing	PG DPW&T, COG, WMATA	
c. Advocate for selection of MTA's Campus Drive alignment for the Purple Line.	City Council	Ongoing	Ongoing		
d. Participate in Purple Line design phase for alignment and stations.	Planning Dept., City Council	Ongoing	Ongoing	Include Community input	
e. Continue funding and promoting use of Shuttle-UM pass for city residents and employees.	City Council, City Manager's staff	Ongoing	Ongoing		
f. Develop a city-wide bicycle plan.	Planning Dept., City Council	Q1	Q4		
g. Explore funding avenues to bring the Washington Metropolitan bike share program to College Park.	City Council, Planning Dept.	Q1	Q4		
h. Create a map on a City webpage within the City website that shows all public transit options available in the City (Shuttle-UM, The Bus, WMATA bus and metro).	Planning Dept., IT	Q1	Q4	Get necessary route information from UMD, WMATA, and The Bus	

**Action Plan Notes:**

**Goal II: Convenient transportation options that improve local travel and manage congestion.**

**Objective 3: Develop and implement Transportation Demand Management (TDM) strategies [on Route 1].**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Support establishment of a Route 1 TDM District and transportation management authority (TMA).	City Council, Planning Dept.	Q1	Q4	Support from M-NCPPC, PG District Council	
b. Require developers to prepare trip reduction plans for new development.	City Council	Ongoing	Ongoing	Support from County Council, Planning Board	
c. Seek funding for infrastructure improvements including bike trails and amenities and sidewalk construction.	Planning Dept.	Ongoing	Ongoing	Grant person	
d. Direct traffic to least congested arterial and connector routes with improved signage and websites.	City Council, City Engineer	Ongoing	Ongoing	Support from UM, City, SHA, Prince George's County DPW&T	
e. Work with University of Maryland to identify all UMD webpages that give driving directions to the University from Route 1.	City Manager's staff	FY 2011	Q2		

**Action Plan Notes:**

- a. Includes a trip reduction goal for Route 1.

**Goal II: Convenient transportation options that improve local travel and manage congestion.**

**Objective 4: Improve traffic, pedestrian, and bicycle safety.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Explore options to provide safer access to major arteries from all City neighborhoods.	Planning Dept., City Engineer	Q1	Q4	SHA, County Council	
b. Explore and enhance pedestrian and bike safety measures on Rhode Island Avenue in north College Park.	Planning Dept., City Engineer	Q1	Q4		
c. Explore options for establishing baseline statistics on pedestrian and bicycle traffic.	Planning Dept., City Engineer	FY 2011	Q4	Budget funding	

**Action Plan Notes:**



**Goal III: Lead the College Park community in environmental conservation, protection, restoration, and energy efficiency.**

**Objective 1: Implement strategies to improve energy efficiency and reduce greenhouse gas emissions.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Initiate community emissions inventory.	City Council, CBE	FY 2011	Q4+		
b. Adopt ambitious emissions reduction targets and action plan.	City Council	FY 2011	Q4+	COG 2010-2012 Regional Climate and Energy Action Workplan	
c. Establish a LEED-based sustainability standard for new development projects within the City jurisdiction.	City Council, CBE	FY 2011	Q4+		Our Route 1 development districts already have this standard because of the Sector Plan.
d. Supply the energy needs of all city government facilities with 100% renewable energy through the purchase of renewable energy credits (RECs).	City Council, CBE, City Manager's staff	Q1	Q4	RECs background research conducted in FY 2011 by city staff	
e. Promote greater use of car pooling and public transit by city staff.	City Council, Human Resources, Green Team	FY 2011	Ongoing		
f. Encourage greater city staff participation in energy efficient practices.	Planning Dept, Human Resources, Public Works, Green Team	Ongoing	Ongoing		
g. Conduct two outreach workshops.	CBE	Q1	Q4		
h. Pursue other grant resources to support activities addressing energy	City staff	FY 2011	Ongoing	Grant person	

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
efficiency.					
i. Continue to pursue legislation for a home energy loan program for residents to make energy efficiency improvements. If legislation passes, pursue development of the program.	City Staff	FY 2011	Ongoing		
j. Pursue participation in Sustainable Maryland Program.	City Council	Q1	Q4		

**Action Plan Notes:**

**Goal III: Lead the College Park community in environmental conservation, protection, restoration, and energy efficiency.**

**Objective 2: Develop strategies to effectively manage local water resources and storm water runoff.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Implement one or more projects recommended under the Paint Branch Watershed Management Plan.	Planning Dept.	FY 2011	Q4	Support from Anacostia Watershed Society, SHA Also, funding from the State and the EPA	
b. Review site plans for developer compliance with new storm water regulations.	Planning Dept., City Council	FY 2011	Ongoing	County Council	
c. Incorporate best practices for storm water management into all City projects to the extent feasible.	Planning Dept., Engineer, Public Works, CBE	Ongoing	Ongoing		
d. Encourage reduction of impervious surfaces in public and private property.	City Council, Planning Dept.	Q1	Ongoing	M-NCPPC	
e. Work with the Prince George's Police and develop education materials to discourage illegal dumping and enforce anti-dumping laws in the City.	Public Works Contract Police	FY 2011	Ongoing	Alice Ferguson Foundation	

**Action Plan Notes:**

**Goal III: Lead the College Park community in environmental conservation, protection, restoration, and energy efficiency.**

**Objective 3: Increase and enhance parks and green spaces.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Prepare citywide plan for new and improved parks and recreational facilities.	Planning Dept., Public Works Dept., Recreation Board	Q1	Q4+	M-NCPPC support, funding for document preparation	
b. Update plan, with community input, for Hollywood Gateway Park if awarded grant funds.	Planning Dept.	FY 2011	Q4+	MHAA grant funding	
c. With community input, pursue acquisition of #1 Liquor Store for pocket park.	Planning Dept., City Attorney, City Council	Ongoing	Ongoing		
d. Design and construct skate spot at Sunnyside neighborhood park with community input.	Planning Dept.	Ongoing	Q4		
e. Explore further incremental options for construction phasing of Duvall Field renovation with community input.	City Council, Planning Dept.	Q1	Q4	Explore potential developer contribution and/or allocation to General Fund	

**Action Plan Notes:**

**Goal III: Lead the College Park community in environmental conservation, protection, restoration, and energy efficiency.**

**Objective 4: Divert waste from landfills by continuing to increase participation in reduce/reuse/recycle programs.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Plan and execute public education program to promote recycling, with a focus on newly accepted recyclables.	Public Works, CBE	FY 2011	Ongoing	Printed materials; outreach opportunities; funding	
b. Increase participation in pilot program for diverting household items from landfill; measure results to determine if program continuation is worthwhile.	Public Works, CBE	Q1	Q4	Charitable orgs to accept donations, civic association assistance with publicity	
c. Annually publish recycling and related statistics on or around Earth Day.	Public Works, CBE	FY 2011	Ongoing		

**Action Plan Notes:**

**Goal IV: Neighborhoods that are safe, peaceful, attractive and retain their community character.**

**Objective 1: Effectively and fairly enforce city and county codes and ordinances.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Expand pilot program for optional email notification of code violations city-wide.	Public Services, IT	Q1	Q4		
b. Evaluate City response to public inquiries and complaints according to previously established benchmarks from FY 2011 Action Plan.	Public Services, IT	Q1	Q4		
c. Implement one of the previously explored avenues for resident online reporting of suspected code and parking violations.	Public Services, IT	Q1	Q4		
d. Form a task force to assess the effectiveness and consistency of citywide Code Enforcement.	City staff	Q1	Q4		

**Action Plan Notes:**

Goal IV: Neighborhoods that are safe, peaceful, attractive and retain their community character.

Objective 2: Increase the rate of home ownership.

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Cultivate relationships with residential realtors to increase knowledge of College Park's assets and positive attributes.	City Council, Economic Development	Ongoing	Ongoing		
b. Create information page(s) on the City website that provides information about city neighborhoods to prospective residents.	IT	Q1	Q4		
c. Engage in a marketing campaign to promote City assets including schools, neighborhoods, CP as the best place to raise children (per Business Week article), etc.	City Council	Q1	FY 2013	Consulting services for a real campaign.	

**Action Plan Notes:**

Goal IV: Neighborhoods that are safe, peaceful, attractive and retain their community character.

Objective 3: Preserve and promote neighborhood resources that build a sense of community for all residents.

Action Recommendations:

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Hold a second College Park Day and develop strategies to make it a sustainable program.	City Council, Recreation Board, YSB	Q1	Q2	M-NCPPC, CP Day Planning Committee, Volunteers	

Action Plan Notes:



**Goal V: Expand the local economy and tax base with socially responsible development.**

**Objective 1: Encourage revitalization of the Route 1 corridor consistent with the desires and needs of the local community.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Develop and continue to track inventory of available sites for redevelopment and available rental properties.	Planning Dept.	Ongoing	Ongoing		
b. Work with developers to help identify businesses for new retail space.	Planning Dept.	Ongoing	Ongoing		
c. Pursue Tax Incremental Financing (TIF) to support public infrastructure improvements associated with new development.	City Council	FY 2011	Q4		

**Action Plan Notes:**

**Goal V: Expand the local economy and tax base.**

**Objective 2: Encourage revitalization of the Hollywood Commercial District.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Develop a streetscape design plan with community involvement (with residents, businesses, and local property owners).	Planning Dept.	Ongoing	Q4+	UM Landscape Architecture program	
b. Work with business owners interested in forming a voluntary Hollywood Merchants association or other type of support network.	City Council, Planning Dept.	Q1	Q4		
c. Explore options for redevelopment financing for business owners and inform the business owners of those options.	City Council, Planning Dept.	Q1	Q4		
d. Hold an informational gathering session with residents regarding the future Community Center in the Hollywood Commercial District.	City Council, Planning Dept.	Q1	Q4	M-NCPPC	
e. Request a feasibility study of a community center in north College Park.	City Council	Q1	Q4	Cost of study	

**Action Plan Notes:**

**Goal V: Expand the local economy and tax base.**

**Objective 3: Support and attract diverse locally-owned high-quality retail and restaurant businesses with unique character and a commitment to local quality of life.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Identify and promote available space to prospective tenants.	Planning Dept.	Q1	Ongoing		
b. Market downtown College Park as a destination location.	City Council, Economic Development	Q1	Q4		
c. Develop and implement a strategy to encourage the 10 most desired retail/restaurant businesses to locate in College Park. (List compiled from 2010 Resident Survey results).	Planning Dept.	Q1	Q4		
d. Assist local businesses in implementing strategies in a "buy-local" and independent business campaign for College Park.	Planning Dept.	Q1	Q4		
e. Review and establish city priorities in relation to the East Campus development.	City Council	Q1	Q2	Discuss in a worksession.	

**Action Plan Notes:**

**Goal V: Expand the local economy and tax base.**

**Objective 4: Increase the diversity of job opportunities.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Encourage University incubator businesses to remain in College Park by marketing suitable available space.	Planning Dept.	Ongoing	Ongoing		
b. Work with Small Business Development Center to provide support to existing business owners and encourage new entrepreneurs to locate in College Park.	Planning Dept.	Ongoing	Ongoing		

**Action Plan Notes:**

**Goal V: Expand the local economy and tax base.**

**Objective 5: Increase the diversity of available quality housing.**

**Action Recommendations:**

<b>Major Action Steps</b>	<b>Responsibility</b>	<b>Begin Timeframe</b>	<b>Deadline</b>	<b>Other Resource Needs</b>	<b>Status Update</b>
a. Identify developers to build corridor infill housing consistent with the Route 1 Corridor Sector Plan.	City Council, Planning Dept.	Q1	Q4	Planning Board	
b. Encourage affordable graduate student housing in early phase of East Campus development and encourage future developers to set aside a certain percentage of housing for graduate students in other project opportunities.	City Council	Q1	Ongoing		

**Action Plan Notes:**

**Goal V: Expand the local economy and tax base.**

**Objective 6: Facilitate development in the College Park Metro Station area.**

**Action Recommendations:**

Major Action Steps	Responsibility	Begin Timeframe	Deadline	Other Resource Needs	Status Update
a. Work with WMATA on joint development projects.	Planning Dept., City Council	Ongoing	Ongoing	County Council, State Legislation	
b. Market public property in Transit District Overlay Zone to the private sector.	Planning Dept.	Q1	Ongoing	UM, WMATA	
c. Discuss the UMD Facilities Master Plan with the University to learn more about their plans for bike and pedestrian paths in College Park.	City Council, Planning Dept.	Q1	Q4		

**Action Plan Notes:**

# MINUTES

**MINUTES**  
**Special Session of the College Park City Council**  
**Council Chambers**  
**Tuesday, February 15, 2011**  
**9:14 p.m. – 9:17 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich, Afzali and Mitchell.

**ABSENT:** Councilmember Cook.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Terry Schum, Director of Planning; Elisa Vitale, Senior Planner; Bob Ryan, Director of Public Services; Jill Clements, Director of Human Resources; Bob Stumpff, Director of Public Works; Brian Burrell, Student Liaison.

During a regularly scheduled Worksession of the College Park City Council, a motion was made by Councilmember Afzali and seconded by Councilmember Catlin to enter into a Special Session to consider the Property Use Agreement and liquor license application for The Barking Dog, which will be heard by the Board of License Commissioners next Tuesday, before the City Council's next meeting. The motion carried 6 – 1 – 0 (Perry opposed, Cook absent) and the Council entered the Special Session at 9:14 p.m.

**Action Item:**

**11-G-20      Approval of a Property Use Agreement for The Barking Dog and application by John F. McManus, Member-Manager for a Class B, BLX, Beer, Wine and Liquor License for the use of Zilla College Park, LLC, t/a The Barking Dog – College Park, 7416 Baltimore Avenue, College Park, 20740**

**A motion was made by Councilmember Stullich and seconded by Councilmember Wojahn that the City take a position of no opposition to the Class B, BLX beer, wine and liquor license application for The Barking Dog, pending execution of the Property Use Agreement with the amendments agreed upon tonight (pitchers will sell for no less than \$9.00 per pitcher), that the City Manager be authorized to sign the Property Use Agreement, and that staff be authorized to testify to the Board of License Commissioners.**

There were no comments from the audience.

There were no comments from Council.

**The motion passed 6 – 1 – 0 (Perry opposed).**

**Adjourn:**

A motion was made by Councilmember Afzali and seconded by Councilmember



Stullich to adjourn the Special Session. Mayor Fellows adjourned the Special Session at 9:17 p.m. with a vote of 7 – 0 – 0.

---

Janeen S. Miller, CMC	Approved
City Clerk	

**MINUTES**  
**Public Hearing of the College Park City Council**  
**Tuesday, February 22, 2011**  
**7:30 P.M.**

**11-O-01**

**An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland,  
Amending Chapter 184 "Vehicles And Traffic", Article II "Parking Regulations" By  
Repealing And Reenacting §184-8, "Permits Required For Certain Vehicles" To Allow  
Certain Commercial Vehicles To Park On City Streets And Make Conforming Changes.**

**PRESENT:** Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich, Cook, Afzali and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Bob Ryan, Director of Public Services; Steve Groh, Director of Finance; Brian Burrell, Student Liaison.

Mayor Fellows called the Public Hearing to order at 7:30 p.m. Bob Ryan gave an overview. This ordinance amends Chapter 184 in order to bring requirements for on-street parking more in line with requirements for off-street parking. Council had adopted an ordinance last fall (10-O-09) that also amended this Chapter, but subsequently decided to make certain requirements more lenient. Therefore, this ordinance will allow commercial lettering larger than 4 inches in height and will allow dual rear wheels.

Mr. Ryan reviewed what this Chapter still prohibits: Between the hours of 8 p.m. and 6 a.m. it is unlawful to park any recreational vehicle, boat, trailer, or special mobile equipment in a residential zone. The City Manager can give 24- hour permission and the Council can provide longer permission. It is unlawful at any time on any public street in a residential zone, and between the hours of 8 p.m. and 6 a.m. on any other public street, to park a vehicle exceeding 21 feet in length or 6 feet in width that is used for commercial purposes, any vehicle exceeding the Manufacturer's GVW of 8,500 lbs., exceeding 300 cubic feet of load space, a stake platform truck, dump truck, crane or tow truck. Commercial vehicles can park when loading or unloading in the course of a commercial service. Permission to park a prohibited vehicle can be granted for 24 hours by the City Manager or for longer periods by the City Council. So the original restriction adopted last fall would be changed by this amendment to allow commercial lettering larger than 4 inches in height or a vehicle with dual rear wheels.

Councilmember Perry asked if a vehicle with a permitted exception would receive a sticker to place on their vehicle. Mr. Ryan said no, the Parking Enforcement Officers would receive a written notice.

Mr. Ryan clarified that it is their practice that once an application is submitted, they would hold enforcement in abeyance until a decision had been rendered.

**Comments from the audience: None.**

There being no testimony, Mayor Fellows closed the Public Hearing at 7:39 p.m.

---

Janeen S. Miller, CMC	Date Approved
City Clerk	

**MINUTES**  
**Regular Meeting of the College Park City Council**  
**Tuesday, February 22, 2011**  
**8:00 p.m. – 9:03 p.m.**

**PRESENT:** Mayor Fellows; Councilmembers Nagle, Wojahn, Catlin, Perry, Stullich, Cook, Afzali and Mitchell.

**ABSENT:** None.

**ALSO PRESENT:** Joe Nagro, City Manager; Suellen Ferguson, City Attorney; Janeen Miller, City Clerk; Chantal Cotton, Assistant to the City Manager; Brian Burrell, Student Liaison; Bob Ryan, Director of Public Services; Jill Clements, Director of Human Resources; Terry Schum, Director of Planning, Steve Groh, Director of Finance.

Mayor Fellows opened the meeting at 8:00 p.m. Councilmember Mitchell led the Pledge of Allegiance.

**Minutes:** A motion was made by Councilmember Perry and seconded by Councilmember Wojahn to accept the minutes of the Special Session of February 1, 2011 and the Regular Meeting of February 8, 2011. The motion passed 8 – 0 – 0.

**Announcements:**

Councilmember Nagle announced that the National Museum of Language would hold a session on Spain on Saturday, March 5 from 10:30 – 12:30 in the Council Chambers of City Hall.

Councilmember Wojahn announced a cleanup sponsored by Pick Up America on Sunday, February 27 beginning at 11:30 a.m.; meet at the MOM's Shopping Center.

Councilmember Catlin reported on the Board of License Commissioners hearing for The Barking Dog application.

Councilmember Perry remarked on the house fire on Potomac Avenue that destroyed a residence. He wondered how much of a difference fire sprinklers would have made. He congratulated the fire companies for keeping the fire from spreading to nearby houses.

Mayor Fellows commented on the Branchville Fire and Rescue dinner event he attended Saturday night.

Councilmember Afzali announced the next Experience and Enjoy College Park Tour event would be held at The Jerk Pit on Sunday at 5:00 p.m. The guest speaker is County Council Member Mary Lehman.

**Amendments to the Agenda:**

Mr. Nagro requested that item 11-G-26 be pulled from the agenda.

**City Manager's Report:** Mr. Nagro reminded Council that the Four Cities meeting would be held in College Park tomorrow night at 7:30 p.m. County Executive Baker is expected to attend. The 21<sup>st</sup> District Delegation will hold local office hours this Saturday at the Shoppers Food Warehouse from 11 – 2 to answer constituent questions.

**Student Liaison Comments:** Mr. Burrell reported that the SGA supported Senate Bill 116, the gay marriage bill, and will go to Annapolis to lobby on various student issues next Monday.

**Comments from the Audience on Non-Agenda Items:**

**Deanna Ratnikova, 4503 Guilford Road, Apartment 3:** Requested that the Council clarify the wording “necessary property maintenance” in the City’s noise ordinance. She has been disturbed by a business near her home that uses a leaf blower shortly after 7:00 a.m. three times in the last week. She does not believe this constitutes “necessary property maintenance” but because the code does not clarify “necessary” she cannot get any relief. This work used to occur prior to 7:00 a.m. but since she spoke to the business owner he now waits until after 7:00 a.m.

Mr. Ryan said that our Code specifically allows necessary property maintenance to occur between 7:00 a.m. and 8:00 p.m. Because there has not been a second complainant the Noise Control Board could not hear the case.

**Consent Agenda:**

A motion was made by Councilmember Perry and seconded by Councilmember Stullich to adopt the Consent Agenda which consisted of the following items:

- 11-R-02 Resolution Of The Mayor And Council Of The City Of College Park, Maryland, Regarding Appeal Number BPV-2007-01, 3705 Marlborough Way, College Park, Maryland Recommending Conditional Approval Of A Request For Validation Of A Building Permit For Masonry Wall**
- 11-G-21 Approval Of A Request By The College Park Boys And Girls Club For Spring And Summer Use Of Duvall Field, Restrooms, Lights And Concession Stand Facilities; From March Through July 2011, Monday-Friday 5-10:30 P.M. And Saturday 9 A.M. – 10:30 P.M.; For All Sports Practice And Games Including Lacrosse, Soccer, Baseball, And T-Ball.**
- 11-G-22 Approval Of A Request By The College Park Boys And Girls Club For Spring And Summer Use Of The Calvert Hills Playground Field And Portable Toilet Facilities; From March Through July 2011, Monday-Friday 5 P.M. To Dark, And Saturday 9 A.M. To Dark; For Soccer And T-Ball Practice And Games.**

The motion carried 8 – 0 – 0.

**Action Items:**

- 11-G-24 Approval Of A Request By The Maryland Stingers Women's Rugby Club For Spring And Summer Use Of Duvall Field; From March Through July 2011, Tuesday & Thursday, 7:30-9:30 P.M., Concurrent With Use By, And With Agreement Of, The College Park Boys And Girls Club, For Rugby Practice.**

**A motion was made by Councilmember Afzali and seconded by Councilmember Mitchell to approve A request by the Maryland Stingers Women's Rugby Club For Spring And Summer Use Of Duvall Field; From March Through July 2011, Tuesday & Thursday, 7:30-9:30 P.M., Concurrent With Use By, And With Agreement Of, The College Park Boys And Girls Club, For Rugby Practice.**

Councilmember Afzali referred to an e-mail he received today from Alan Bradford about how this Club helps the Recreation Board and the Boys and Girls Club; they have been using the field for a while with no problems, they haven't been charged in the past and he doesn't see any reason to start charging them now.

**Comments from the Audience:**

**Adele Ellis, 4608 Beechwood Road, Co-Chair Recreation Board:** She has no connection with the Stingers nor does anyone on the Recreation Board. The Recreation Board made the decision to waive the fee because there is no charge to the City for the lights because the Stingers are on the field when the Boys and Girls Club are on the field. In the past they have helped clean up the field, keep an eye on things and report problems, and are responsible users. Although they are not technically a College Park club, some of its members are from the City. She thinks it would be a shame to deny this organization use of the field.

**Sarah Lysmer, Silver Spring, President, Maryland Stingers Women's Rugby Team:** They are a very small organization and it is very difficult for women's rugby teams to find a place to practice. They can't afford the full non-resident fee for the field, they have helped with maintenance in the past, and they appreciate use of the field. They have some members on the team who live in College Park and more who live in the County, but the roster is fluid so it is hard to say exactly how many from week to week.

Councilmember Nagle said she wanted to discuss this so she could make sure we were being consistent with our policies and understand what the relationship was between the Stingers and the City. Perhaps the Council needs to reexamine the field use fees to make them more affordable.

**The motion carried 8 – 0 – 0.**

- 11-O-01 Adoption of Ordinance 11-O-01, An Ordinance Of The Mayor And Council Of The City Of College Park, Maryland, Amending Chapter 184 "Vehicles And Traffic", Article II "Parking Regulations" By Repealing And Reenacting §184-8, "Permits**

**Required For Certain Vehicles” To Allow Certain Commercial Vehicles To Park On City Streets And Make Conforming Changes.**

**A motion was made by Councilmember Nagle and seconded by Councilmember Wojahn to adopt Ordinance 11-O-01.**

Councilmember Nagle stated that the Council adopted changes to this section of the Code in December after a request from Public Services staff that were looking for conformity between Parking regulations and Zoning regulations. As a result of the changes, residents who needed to bring their vehicles home and who had been doing so for many years were negatively impacted and would have had to get an exemption to park in front of their homes. Tonight’s changes will allow vehicles with commercial advertising greater than 4” in height and those with dual rear wheels to park on city streets in residential zones between the hours of 8 p.m. and 6 a.m.

Due to the earlier public hearing there were no comments from the audience.

There were no comments from the Council.

**The motion passed 8 – 0 – 0.**

**11-R-03 Approval Of A 20-Year Tax-Exempt Parking Garage Bond Of 2011 With SunTrust Bank In The Amount Of \$8,150,000 At 3.68% Interest With Settlement On Or Before February 28, 2011.**

A motion was made by Councilmember Perry and seconded by Councilmember Catlin to adopt Resolution 11-R-03, a Resolution of the Mayor and Council of City of College Park providing for the issuance and sale by the City of College Park (the “City”), upon its full faith and credit, of a general obligation installment bond in the aggregate principal amount of eight million one hundred fifty thousand dollars (\$8,150,000.00), the proceeds of the sale thereof to be used and applied for the public purpose of refinancing a portion of the costs of the planning, design, engineering, acquisition, construction, improvement and equipping of an approximately 288-space public parking garage with retail space located at 7306 Yale avenue and 7308 Yale avenue and on a City-owned lot located on the south side of Knox Road at its intersection with Yale Avenue, together with the acquisition of necessary property rights and equipment, and related site and utility improvements (including, without limitation, demolition and grading) by prepaying or paying the outstanding principal balance of the two bond anticipation notes identified herein, as more particularly described herein; prescribing the terms of the bond, the form and tenor of the bond, and the terms and conditions for the issuance and sale of the bond by private (negotiated) sale without solicitation of competitive bids to SunTrust bank; providing for certain actions to be taken and determinations made in connection with a reissuance of the bond as described herein; providing for the disbursement and application of the proceeds of the bond; providing for the levy and collection of ad valorem taxes sufficient for, and pledging the full faith and credit and unlimited taxing power of the City to, the prompt payment of principal and interest on the bond; providing that the

**principal of and interest on the bond also may be paid from any other sources of revenue lawfully available to the City for such purpose; making or providing for certain representations and covenants relating to the tax-exempt status of the bond; and generally relating to the issuance, sale, delivery and payment of and for the bond.**

Councilmember Perry said the City has not had this large of a bond sale in the past, and it involves the rejuvenation of downtown College Park. This Resolution represents the final act in a series of events to provide financing for the construction of the public parking garage. The City issued bond anticipation notes to provide interim financing for the construction. Following a private placement solicitation by the City's financial advisor, SunTrust Bank was chosen for the permanent financing based on their competitive tax-exempt interest rate of 3.68% and other favorable terms. Although the original bond anticipation notes included taxable and tax-exempt BANs as the construction of the retail space in the parking garage could not be funded with tax-exempt financing, the City is paying off the taxable BAN. As a result, there will only be a tax-exempt 20-year bond in the amount of \$8,150,000 going forward. Although this bond is general obligation debt, carrying the full faith and credit of the City of College Park, the City anticipates using parking garage revenue, including parking meter revenue, parking garage permits and retail space rent to cover the \$560,000 annual debt service on this bond. The Resolution authorizes various City staff to execute required documents at a bond settlement on or before February 28, 2011. Councilmember Perry remarked that SunTrust Bank bought Citizens Bank of Maryland. He expressed his compliments to staff for getting us to this point.

There were no comments from the audience. There were no comments from Council.

**The motion passed 8 – 0 – 0.**

**11-G-25 Approval For The City To Pay Off The Taxable Parking Garage Bond Anticipation Note Of 2008 In The Amount Of \$475,000 From Undesignated Reserve Funds.**

**A motion was made by Councilmember Perry and seconded by Councilmember Catlin that the Mayor & Council authorize the City's Director of Finance to pay off the Taxable Parking Garage Bond Anticipation Note of 2008 with SunTrust Bank in the amount of \$475,000 from undesignated reserve funds, coinciding with settlement on the \$8,150,000 Tax-Exempt Parking Garage Bond of 2011 on or before February 28, 2011. This action is a part of the conversion of the 2008 bond anticipation notes for the public parking garage to permanent financing.**

There were no comments from the audience.

Councilmember Catlin commented that in 2008, the City issued bond anticipation notes to provide interim financing for the construction of the public parking garage. As construction of the retail space in the parking garage could not be funded with tax-exempt financing, the original



bond anticipation notes included taxable and tax-exempt bond anticipation notes in the proportions of the retail square footage to the total garage square footage. The City is in the process of converting the interim financing to permanent. The private placement solicitation for permanent financing by the City's financial advisor generated a winning lowest bid from SunTrust Bank with an interest rate of 5.61% for a taxable bond versus a 3.68% rate for a tax-exempt bond. Due to this significant difference in interest rates, it is in the best interests of the City to pay off the \$475,000 taxable bond anticipation note from undesignated reserve funds at the time of settlement on the new \$8,150,000 tax-exempt bond. This use of undesignated reserve, without any other transaction such as a FY2011 surplus, would reduce the undesignated reserve percentage from 33.2% to 29.4%, still in excess of the Council's 25% goal.

**The motion carried 8 – 0 – 0.**

**11-R-04 Resolution Of The Mayor And Council Of The City Of College Park To Amend 10-R-33, Which Amended The Student- Liaison And Student-Liaison Alternate Positions, To Clarify The Provisions For Removal Of The Student-Liaison.**

**A motion was made by Councilmember Mitchell and seconded by Councilmember Afzali to adopt Resolution 11-R-04 amending Resolution 10-R-33, which updated the Student- Liaison and Deputy Student-Liaison Alternate positions, to clarify the provisions for removal of the Student-Liaison.**

Councilmember Mitchell stated that a Student-Liaison can now be removed from his position if such a recommendation is made by the Selection Committee and approved by a 2/3 vote of the Student Government Association. This amendment will clarify that the removal must be approved by the Student Government Association Legislature and not the entire Student Government Association.

There were no comments from the audience.

Student Liaison Brian Burrell stated he presented this plan to the full body of the SGA legislature last week and they had no negative comments.

**The motion passed 7 – 1 – 0 (Perry opposed).**

**11-G-27 Award Of Contracts For Health Insurance, Dental Insurance, Worker's Compensation Insurance, And Liability Insurance.**

**A motion was made by Councilmember Stulich and seconded by Councilmember Catlin that the City Council award the following contracts for medical and prescription**

**insurance, dental insurance, workers' compensation, and liability insurances for FY 2012. The contracts submitted for approval and award were negotiated using authorized informal purchasing procedures including brokers, agents and staff research and therefore require an extra-majority vote of the Mayor and Council. The total cost of the medical and dental insurance contracts will depend upon the type of coverage selected by each employee. Therefore, the amounts listed represent the estimated FY 2012 budgeted cost for this coverage and should approximate the actual cost.**

**Contract with CareFirst for two HMO and one Open Access HMO insurance plans at a budgeted cost of \$685,300; Contracts with MetLife and DentaQuest for dental insurance at a budgeted cost of \$43,700; Contract with Injured Workers Insurance Fund (IWIF) for workers' compensation insurance at a budgeted cost of \$154,094; Contract with Local Government Insurance Trust (LGIT) for general liability, public officials' liability, auto, property, boiler and machinery, personal injury protection, and uninsured motorists protection insurances at a budgeted cost not to exceed \$165,323. The Total budgeted cost of the four contracts is \$1,048,417.**

Councilmember Stullich commented that for medical and prescription insurance coverage (group health insurance), the City has compared premium costs and plan designs provided by our current carrier, CareFirst, and by other vendors supplied by Richard J. Princinsky & Associates, Inc., our benefits brokers. CareFirst has offered us a renewal with no increase in premiums for FY12. The recommendation to stay with CareFirst for employee group health insurance is based on the City's inability to obtain similar coverage at lower rates. Aetna, Cigna and United Healthcare declined to quote this year due to the 0.0% increase offered by CareFirst. In addition, City staff carefully reviewed a new product in the marketplace, a self-insurance cooperative arrangement put together by the Local Government Insurance Trust (LGIT). LGIT's cooperative is only in its second year of operation and we want to make sure the group is viable in the long run before we join.

The dental insurance plans were also carefully reviewed again this year. We are electing to stay with our current carriers as their rates and networks are competitive in the market and our employees seem satisfied with the options. MetLife did not raise the premiums for next year and DentaQuest is increasing premiums by 6%. The total increase to the City, based on current enrollment levels is estimated at \$600.

The Injured Workers Insurance Fund (IWIF) carries the City's workers' compensation insurance. The IWIF premium for FY 2012 includes a 36.5% Loss Control Incentive credit that is not available from another vendor. Bruce Grau & Associates, our broker for this coverage, continues to be unable to locate another carrier who could provide coverage for a lower premium. Staff recommend that the City retain its workers' compensation insurance with IWIF for FY 2012. This year's contract is approximately 6% higher than last year due to state-mandated increases in the manual premium per covered payroll and our claims experience history.

The City's liability insurance is carried by the Local Government Insurance Trust (LGIT). This insurance covers City-wide general liability, public officials' liability, auto, property, boiler and machinery, personal injury protection, parking garage, and uninsured motorists coverage. The City also purchases coverage from other insurance companies affiliated with LGIT for our pollution legal liability, a crime bond, Metro underpass, and fuel storage tanks. For fiscal year 2012, the estimated premium for all our liability insurances will increase by approximately 10% over actual premium for FY11 for a budgeted amount not to exceed \$165,323. The total cost of all four of these contracts will be approximately 1.6% higher than the corresponding total for FY11.

There were no comments from the audience.

Councilmember Catlin remarked this is often the most significant expense the Council votes on other than the budget, and that compared to other years, these are modest increases.

Councilmember Perry expressed compliments to staff for the wellness program and safety program which has helped keep some rates palatable.

**The motion carried 8 – 0 – 0.**

#### **11-G-28 Approval of a Maryland Heritage Areas Authority (MHAA) Grant Application.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to authorize staff to submit an application for \$66,000 in fiscal year 2012 Maryland Heritage Areas Authority grant funding for the establishment of a pilot bikeshare program in the City of College Park.**

Councilmember Wojahn said that MHAA grants support capital and non-capital projects that preserve, enhance and promote the cultural heritage of the Anacostia Trails Heritage Area communities. Capital grants are available for projects with a total value of up to \$100,000. The grants require a dollar-for-dollar match; however, a portion (up to 25%) of the match may be in-kind. A particular emphasis this year has been placed on projects that contribute to the commemoration of the bicentennial of the War of 1812. Bikeshare could connect people using public transit to historical resources in the heritage area. For example, a visitor could rent a bike at the College Park Metro station, ride down the trail system to Bladensburg where there is not a Metro stop, and participate in commemorative activities. Applications are due to ATHA on March 4, who will review and rank the applications before forwarding them to MHAA. This is a current year Action Plan priority and we have been unsuccessful in our past attempts to secure grant funding for this program.

Councilmember Catlin applauded Planning Staff for the creative application.

Councilmember Wojahn commented that the three proposed locations for bike share stations were in the Hollywood Commercial District, the College Park Metro and downtown, and asked if

there was any thought to locating a station at the Greenbelt Metro. Ms. Schum replied that it needs to be on City owned property for ease of implementation.

Councilmember Perry said he can't get excited about bicycles when we have streets that need serious work, and called this "magic money".

Mayor Fellows believes promoting bicycle use would get people off the roads and out of cars, and this is a creative way to encourage people to use public transit for the celebration.

**The motion passed 6 – 2 – 0 (Perry and Cook opposed).**

**11-G-29 Approval Of A Letter To The Maryland Department Of The Environment Expressing The City's Concerns About The Permit Application For Restoration/Relocation Of Narragansett Run (200863391/08-NT-0239) Near The Greenbelt Metro Station.**

**A motion was made by Councilmember Wojahn and seconded by Councilmember Nagle to approve a letter to the Maryland Department of the Environment that opposes the permit application submitted by Metroland Developers, LLC for the relocation and restoration of Narragansett Run as part of the Greenbelt Station development.**

Councilmember Wojahn commented that the original permit application was submitted in 2008 by Petrie Ross, a developer who is no longer part of the Greenbelt Station development. Metroland Developers LLC is interested in keeping the permit file open even though a new developer has not been identified and a Detailed Site Plan has not been approved for the north core. The permit request involves relocation of a portion of the stream within the floodplain as well as impacts to forested wetlands and stream buffers. Some of these impacts are believed to be unwarranted and unnecessary. The City of Greenbelt submitted a letter with their consultant that discusses these impacts. The City of College Park believes the permit file should be closed at this time and a new permit application filed when a specific development proposal is made. The City is requesting to be a party of record and participant in all matters relating to this or future permits related to the Greenbelt Station project. The impact that this could have on stormwater management in north College Park is a concern, and until that is addressed he wouldn't support a relocation of the stream.

There were no comments from the audience.

There were no comments from the Council.

**The motion passed 6 – 2 – 0 (Perry and Cook opposed).**

**11-G-30 Appointments To Boards And Committees**

**A motion was made by Councilmember Catlin and seconded by Councilmember Mitchell for the following appointments: Dave Milligan to the Citizens Corps Council, Adele Ellis to the Recreation Board, Jay Gilchrist to the Recreation Board. The motion carried 8 – 0 – 0.**

**Council Comments:**

Councilmember Afzali commented on recent votes by the SGA on Campus Drive, the Purple Line, the Wooded Hillock and the A&A Tax where the City and the SGA were on the same page on those subjects.

Councilmember Mitchell asked the City to advertise the March 10 Dining Out For Life event in Washington, D.C. which is a fundraiser for AIDS and urged participation in this worthy cause.

Councilmember Catlin reminded people about tomorrow night's Four Cities meeting.

Councilmember Wojahn announced a meeting on the Greenbelt Metro Area Sector Plan on Wednesday March 2 at the Greenbelt Community Center.

Councilmember Nagle congratulated the Lady Terps on their win over Duke.

**Comments from the Audience:** None.

**Adjournment:** A motion was made by Councilmember Catlin and seconded by Councilmember Stullich to adjourn the meeting, and the meeting was adjourned at 9:03 p.m.

---

Janeen S. Miller, CMC  
City Clerk

Date  
Approved

11-G-26

**Approval for the City to Pay Off the Bank of America City Hall  
Development Refunding Note of 2000 in the Amount of \$160,000  
from Undesignated Reserve Funds**

Mr. Mayor:

I move that the Mayor & Council authorize the City's Director of Finance to pay off the Bank of America City Hall Development Refunding Note of 2000 in the amount of \$160,000 from undesignated reserve funds on or about March 31, 2011.

Additional Comments:

The Bank of America \$600,000 13-year note was a refinance of a MEDCO loan for the renovation of City Hall in 1997 and has approximately 2-1/2 years of monthly payments left before maturity. The current principal balance is approximately \$160,000 and there is no prepayment penalty for paying off this loan prior to maturity. The tax-exempt interest rate on this note is 6.18%, which was a favorable rate when the note was issued in August 2000.

As we are currently earning less than 1% on our undesignated reserve investment earnings, it is prudent that we stop paying 6.18% on this small loan.

[M&C Action 03/08/11]

11-G-33



**Motion for Councilman Catlin  
Agenda Item 11-G-33**

**Approval, with Conditions, of a Departure  
From Parking and Loading Standards  
(DPLS 354) to Reduce the Number of  
Parking Spaces Provided at Mosaic at  
Turtle Creek**

I move that the City Council recommend approval of DPLS 354, to reduce the number of required parking spaces by 227 for the Mosaic at Turtle Creek, subject to the following conditions:

1. The City of College Park shall receive a referral and be provided an opportunity to review and comment on any requests for modification to the bedroom percentages at the subject property.
2. Prior to the signature approval of the Departure from Parking and Loading Standards, the plan shall be revised to show a connection from the sidewalk along the driveway to a crosswalk that connects to the sidewalk at the southwest corner of the Mowatt Lane parking garage. The applicant shall provide the appropriate handicapped ramps, secure any required easements or other grant of approval to insure construction of the sidewalk connection on University of Maryland owned property and complete construction prior to issuance of the final use and occupancy permit.
3. Prior to the issuance of a building permit, the Entity agrees to provide to the City of College Park a dedicated fee in the amount of Thirty One Thousand Dollars and No/100 (\$31,000.00) (the "Bikeshare Fee") for the City's bikeshare program to fund the purchase and installation by the City of an extra small bikeshare station (4 bikes, 7 stalls) at a mutually agreeable location in the vicinity of the Project. In the event that within twelve (12) months of the date of the issuance of a Use and Occupancy permit for the Project the bike share station to be funded by the Bikeshare Fee is not be installed on the agreed upon location, the Bikeshare Fee shall be promptly returned by the City to the Entity.
4. The City acknowledges that once the Property is annexed into the City, the residents will be entitled to apply for the same opportunity to use the University of Maryland Shuttle as any other resident of the City.
5. Prior to approval of the DPLS by the Planning Board, the applicant shall enter into an Amendment to the Declaration of Covenants and Agreement Regarding Land Use, in substantially the form as attached, with the City. The City Manager is authorized to sign this Agreement on behalf of the City.

Comments

- The Applicant is proposing to construct 300 units of market rate multifamily apartments and is requesting a reduction in the number of required parking spaces.

A previous departure for parking was granted in 2008 and the applicant is requesting a departure for an additional 64 parking spaces.

- Although the subject property is not located wholly within one mile of a metro station, the site is partially within the one mile radius for the College Park Metro station. This was found to be sufficient justification to apply the Metro formula for parking for the prior departure. The applicant will be providing 1.5 parking spaces per unit or .99 spaces per bedroom. The City supports the applicant's request that this parking ratio be applied to the project should the bedroom percentages be modified in the future.
- The subject property is currently owned by the University of Maryland and the Applicant has agreed to annex into the City upon transfer of the land.

#### Attachments

1. Amendment to Declaration of Covenants and Agreement

**AMENDMENT TO DECLARATION OF COVENANTS AND AGREEMENT  
REGARDING LAND USE**

THIS DECLARATION OF COVENANTS, is made this \_\_\_\_ day of \_\_\_\_\_, 2011 by and between OWNER ENTITY FUND II, LLC ("Entity"), a Maryland limited liability company and the CITY OF COLLEGE PARK, MARYLAND (the "City") a municipal corporation of the State of Maryland.

WHEREAS, Entity is the contract purchaser of certain real property consisting of 9.54 acres (hereinafter "the Property") located in Prince George's County, Maryland, southwest of Mowatt Lane, known as Buddington North, part of Parcel 43, Parcel 211 and part of Parcel 210, Tax Map 7, in the 21<sup>st</sup> Election District in Prince George's County, Maryland (the "Property"); and

WHEREAS, Entity requested that the City recommend approval of Detailed Site Plan No. DSP-0800, together with a departure from parking and loading standards (DPLS-336) and a departure from parking design standards (DDS-587) to the Prince George's County Planning Board ("Planning Board") and the District Council for Prince George's County, Maryland; and

WHEREAS, the City agreed to make said recommendations upon certain conditions, which were executed by Entity in the form of a Declaration of Covenants and Agreement Regarding Land Use ("Declaration"); and

WHEREAS, Entity has applied for a Departure from Parking and Loading Standards (DPLS 354) to reduce required parking to 227 parking spaces; and

WHEREAS, Entity has requested that the City recommend approval of DPLS 354; and

WHEREAS, the City has agreed to make said recommendation upon certain additional conditions, which shall be executed by Entity in the form of this Amendment to Declaration and

Agreement Regarding Land Use ("Amendment"), which are covenants running with the land, as set forth below and which covenants may be enforced by the City, subject to the terms and provisions of the Declaration, as amended by this Amendment.

NOW THEREFORE, in consideration of the foregoing, the mutual promises contained herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree that the Declaration be and it is hereby amended as follows:

1. The Recitals set forth above, as well as the foregoing "NOW, THEREFORE," clause, are incorporated herein as operative provisions of this Amendment.

2. Paragraph 13 is hereby added to the Declaration, as follows:

13. The City of College Park shall receive a referral and be provided an opportunity to review and comment on any requests for modification to the bedroom percentages at the subject property.

3. Paragraph 14 is hereby added to the Declaration as follows:

14. Prior to the signature approval of the Departure from Parking and Loading Standards, the plan shall be revised to show a connection from the sidewalk along the driveway to a crosswalk that connects to the sidewalk at the southwest corner of the Mowatt Lane parking garage. The applicant shall provide the appropriate handicapped ramps, secure any required easements or other grant of approval to insure construction of the sidewalk connection on University of Maryland owned property and complete construction prior to issuance of the final use and occupancy permit.

4. Paragraph 15 is hereby added to the Declaration as follows:

15. Prior to the issuance of a building permit, the Entity agrees to provide to the City of College Park a dedicated fee in the amount of Thirty One Thousand Dollars and No/100 (\$31,000.00) (the "Bikeshare Fee") for the City's bikeshare program to fund the purchase and installation by the City of an extra small bikeshare station (4 bikes, 7 stalls) at a mutually agreeable location in the vicinity of the Project. In the event that within twelve (12) months of the date of the issuance of a Use and Occupancy permit for the Project the bike share station to be funded by the Bikeshare Fee is not be installed on the agreed upon location, the Bikeshare Fee shall be promptly returned by the City to the Entity.

5. In all other respects, the Declaration, as amended by this Amendment, is ratified and confirmed. All other provisions of the Declaration remain unmodified and in full force and effect.

IN WITNESS WHEREOF, the parties have caused these presents to be executed and delivered.

WITNESS/ATTEST:

OWNER ENTITY FUND II, LLC.

\_\_\_\_\_

\_\_\_\_\_  
Tom Farasy

STATE OF MARYLAND     )  
                                      )     ss:  
COUNTY                         )

I HEREBY CERTIFY, that on this \_\_\_\_ day of \_\_\_\_\_ 2011, before me, a Notary Public in and for the State aforesaid, personally appeared Tom Farasy, and that he executed the foregoing Amendment to Declaration of Covenants for the purposes therein contained by signing in my presence.

WITNESS my hand and Notarial Seal.

\_\_\_\_\_(SEAL)  
Notary Public  
My Commission Expires:\_\_\_\_\_

WITNESS/ATTEST:

CITY OF COLLEGE PARK

\_\_\_\_\_  
Janeen S. Miller, City Clerk

By: \_\_\_\_\_  
Joseph L. Nagro, City Manager

STATE OF MARYLAND                    )  
  )       ss:  
COUNTY OF                            )

I HEREBY CERTIFY that on this \_\_\_\_\_ day of \_\_\_\_\_, 2011, before me, the subscriber, a Notary Public in the State and County aforesaid, personally appeared Joseph L. Nagro, who acknowledged himself to be the City Manager of the City of College Park, and that he, as such City Manager, being authorized so to do, executed the foregoing Amendment to Declaration of Covenants for the purposes therein contained by signing, in my presence, the name of said City of College Park, by himself, as City Manager.

WITNESS my hand and notarial seal.

\_\_\_\_\_(SEAL)  
Notary Public  
My Commission Expires:\_\_\_\_\_

THIS IS TO CERTIFY that the within instrument has been prepared under the supervision of the undersigned Maryland attorney-at-law duly admitted to practice before the Court of Appeals.

\_\_\_\_\_  
Suellen M. Ferguson

This document shall be recorded in the Land Records of Prince George's County. After recording, please return to:

Suellen M. Ferguson, Esq.  
Council, Baradel, Kosmerl & Nolan, P.A.  
P.O. Box 2289  
Annapolis, MD 21404-2289

11-G-34

**Contract Award to Shapiro & Duncan, Inc.  
for Davis Hall HVAC Renovations**

I move that the City award a contract, in substantially the form attached, to Shapiro & Duncan, Inc. of Rockville, Maryland in the amount of \$122,000 for Davis Hall HVAC renovations, and to authorize the City Manger to sign the contract on behalf of the City. The funding source is a U. S. Department of Energy grant in the amount of \$106,400 and the balance is coming from an \$18,000 transfer from the Facilities Capital Reserve C.I.P. project, which was established in FY1999 to provide funding for major maintenance and repairs of City-owned buildings.

**ADDITIONAL COMMENTS:**

The City's grant request for energy efficiency improvements for the Davis Hall HVAC system was approved by the U. S. Department of Energy in September 2009. Johnson, Mirmiran & Thompson was awarded a contract to design and engineer the HVAC renovation project for the multipurpose room and the administration areas.

The project includes the replacement of the existing roof-top unit supplying the multipurpose room which has a 72% AFUE (annual fuel use efficiency) rating for the gas furnace and 8 SEER (seasonal energy efficiency ratio) for the cooling efficiency, with a new roof-top unit having a 90% AFUE rating and a 14.5 SEER rating. The new unit will also be equipped with an economizer feature that will operate during the cooling phase to draw in cooler outside air into the system to further reduce the electric consumption. A drop ceiling and new lights will also be installed.

The improvements in the administration area include the replacement of the 72% AFUE, 8 SEER rated unit with a new unit having a 95.5% AFUE and 13 SEER ratings. This unit will have a modulating gas valve that will reduce the volume of gas required for heating when the temperature variation between the inside and outside air is not that great. This portion of the project also includes installing ductwork in 2 first floor offices that currently have through-the-wall electric heating/air conditioning. Programmable thermostats will be installed for use with both systems.

The intent of the project is to reduce energy consumption in Davis Hall by 10% - 20%. Current electric consumption for the building averages 58,995 kilowatt hours (kWh) at a cost of \$1,830 per year. After the project is completed, consumption should be reduced to 50,146 kwh per year at an estimated cost of \$1,675, which calculates to \$0.0334/kWh.

Gas consumption for the building averages 1,668 therms at a cost of \$1,858 per year. After the project is completed, gas consumption should be reduced to 1,418 therms per year at an estimated cost of \$1,687, which calculates to \$1.19/therm.



Estimated annual savings using identified figures amounts to a \$330 combined energy savings per year. Should energy rates increase, annual cost savings will improve. The HVAC improvements will also help to reduce greenhouse gas emissions and the City's overall carbon footprint.

(M&C Award 03/08/11)

**CITY OF COLLEGE PARK, MARYLAND**  
**HVAC System Renovations – Davis Hall**  
**RFP CP-10-11**

THIS AGREEMENT is made by and between the CITY OF COLLEGE PARK, MARYLAND (hereinafter referred to as the “City”) and SHAPIRO & DUNCAN, INC. (hereinafter referred to as “Contractor”).

WHEREAS, the City wishes to provide for the **HVAC System Renovations – Davis Hall**; and

WHEREAS, the Contractor is willing to provide said services.

NOW, THEREFORE, the parties hereto agree as follows:

**I. SCOPE OF WORK**

The work required of the Contractor will be performed in coordination with the City and the Project Manager and/or his/her designee as construction manager. The work to be performed by the Contractor is as follows:

1. Complete the HVAC System Renovations – Davis Hall as more specifically set forth in the Contract Documents, including, but not limited to, Davis Hall HVAC Equipment Renovation Technical Specifications dated November 19, 2010 and Davis Hall HVAC Equipment Renovation Drawings, 16 pages, dated November, 2010.

The Contractor shall furnish all of the material and perform all of the work as described in these Contract Documents.

**II. DATES OF WORK**

Work under the Contract shall begin within ten (10) days of notice to proceed and is expected to require 120 days to complete. In any event, all work must be completed by June 30, 2011. Provisions for liquidated damages for failure to comply with the Contract Time are set forth in the General Provisions.

### III. CONTRACT PRICE

The City agrees to pay the Contractor the sum of ONE HUNDRED TWENTY-TWO THOUSAND AND 00/100 DOLLARS (\$ 122,000.00) for the performance of the Contract.

### IV. CONTRACT DOCUMENTS

This Agreement and the following enumerated documents form the Contract and they are fully a part of the Contract as if attached hereto:

- Request for Bids, CP-10-11
- Bid Proposal Forms and Affidavits
- Specifications
- General Provisions
- Special Provisions
- Addenda
- Permits
- Labor Standards and Wage Rates – Davis Bacon
- Fair Labor Standards Act of 1938 (29 USCS, Sections 201-216, 217-219, 557)
- Performance Bond
- Labor and Materials Bond
- Other Documents Contained within the Bid Specifications
- Certifications and Affirmations Required by the City

The bid documents and construction schedule submitted by the Contractor are incorporated herein and made part of the Contract Documents by reference.

### V. CAPACITY TO PERFORM

The Contractor represents that all equipment and personnel necessary for providing the described services and items will be available as needed.

### VI. STATUS OF CONTRACTOR

The Contractor shall perform the services described herein as an independent contractor and not as an employee of the City.

### VII. INSURANCE AND INDEMNIFICATION

The Contractor shall provide proof of compliance with State law as to workers compensation and unemployment insurance, and of adequate comprehensive general liability insurance (bodily injury - \$1,000,000 for each occurrence/aggregate; property damage - \$500,000 for each occurrence/aggregate) and automobile fleet insurance (\$1,000,000 for each occurrence/aggregate; property damage - \$500,000 for each occurrence/aggregate). The Contractor shall indemnify and hold harmless the City, its officers, employees and agents, from all suits, actions and damages or costs of every kind and description, arising directly or indirectly out of the performance of the Contract, whether caused by negligence on the part of the

Contractor, its agents and employees, or to other causes. The Contractor shall name the City as an additional insured on said policies of insurance, and shall provide certificates of insurance before starting work on the Project.

#### VIII. LICENSES, APPLICABLE LAWS

The Contractor will be responsible for obtaining any and all licenses pertaining to performance of work under the Contract. All services and materials provided by the Contractor shall conform to all applicable laws and regulations.

#### IX. MATERIALS AND STANDARD OF WORK

All work performed and material provided pursuant to this Contract shall be in conformance with standards adopted by the State of Maryland and Prince George's County and will be appropriate for existing conditions. All work shall be performed in a neat and workmanlike manner by trained and experienced personnel. Defective or unsuitable materials or workmanship shall be rejected and shall be made good by the Contractor at Contractor's expense, notwithstanding that such deficiencies have been previously accepted or were due to no fault of the Contractor. The Contractor will guarantee that materials conform to specifications herein, that the items will be free from defects, and that the items are fit for the purpose for which intended, with the exception that the Contractor will not be responsible for any defects in the footbridge provided by the City. Further, the Contractor shall, in a manner acceptable to the City, return to original condition any property disturbed or damaged during the work.

#### X. ACCURATE INFORMATION

The Contractor certifies that all information provided in response to the invitation to bid or in response to other requests for information is true and correct. Any false or misleading information is grounds for the City to terminate this Contract.

#### XI. PERIODIC AND FINAL INSPECTION

The City will make periodic inspections of the work through the Project Manager or other authorized City representative. A final inspection of the work shall be made by a representative of the City and the Contractor at the end of the work and cure period to ensure that all requirements have been met.

#### XII. RETAINAGE

The City will pay the Contract Price, less 10% retainage, to the Contractor upon completion of the Contract Work, and correction of any deficiencies discovered as a result of final inspection. The remaining 10% retainage shall be paid to the Contractor within six (6) months following the end of all work and correction of any deficiencies. The said retainage is held as security for performance and not as liquidated damages and the forfeiture of the retainage shall not release the Contractor from any liability in excess of the retainage.

### XIII. PERFORMANCE BOND

The Contractor shall give a Performance and Labor and Material Bond within ten (10) business days after the date of the award of the Contract. The Performance and Labor and Material Bond shall be in the amount of 100% of the Contract Price.

### XIV. RESTORATION OF PROPERTY

The Contractor, at its own expense, shall restore or replace any property displaced or damaged as a result of work performed under this Contract, to the satisfaction of the City.

### XV. TERMINATION FOR DEFAULT

Failure of the Contractor to deliver work, supplies, materials or services in a timely manner, to correct defective work or materials, to act in good faith, or to carry out the work in accordance with Contract Documents shall constitute a breach of contract. In such event, the City may give notice to the Contractor to cease work until the cause for such order has been eliminated. Should the Contractor fail to correct such default within 24 hours after receipt of notification, the City may terminate the Contract. This provision shall not limit the City in exercising any other rights or remedies it may have.

### XVI. TERMINATION FOR CONVENIENCE

The performance of work or delivery of services may be terminated in whole or in part at any time upon written notice when the City determines that such termination is in its best interest. The City will be liable only for labor, materials, goods and services furnished prior to the effective date of such termination.

### XVII. NOTICES

All notices shall be sufficient if delivered in person or sent by certified mail to the parties at the following addresses:

For the City:  
Joseph L. Nagro, City Manager  
City of College Park  
4500 Knox Road  
College Park, MD 20740

For the Contractor:  
Gerald M. Shapiro, President  
Shapiro & Duncan, Inc.  
14620 Rothgeb Drive  
Rockville, MD 20850

## XVIII. ERRORS IN SPECIFICATIONS

The Contractor shall take no advantage of any error or omission in the specifications. The City shall make such corrections and interpretations as may be deemed necessary and that decision shall be final.

## XIX. GOVERNING LAW

This contract is executed in the State of Maryland and shall be governed by Maryland law. The Contractor, by executing this Contract, consents to the jurisdiction of the Maryland state courts with respect to any dispute arising out of this Contract.

## XX. INTERPRETATION

Any questions concerning conditions and specifications shall be directed in writing to the Project Manager. No interpretation shall be considered binding unless provided in writing by the Project Manager and/or his/her designee. By execution of this Contract, the Contractor certifies that it understands the terms and specifications.

## XXI. ATTORNEYS' FEES AND COSTS

The prevailing party shall be entitled to attorney's fees and costs incurred in any actions or claims brought to enforce this Contract, or for damages thereunder.

## XXII. SUCCESSORS AND ASSIGNS

This Contract shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto. In any event, the Contractor shall not assign any right or obligation under this Contract without the City's express written consent, which may be withheld in the City's sole discretion.

## XXIII. MAINTENANCE OF RECORDS

The Contractor is be required to maintain those records requested by the City in order to satisfy the requirements of the U.S. Department of Energy, Energy Efficiency and Conservation Block Grant, and, in particular, payrolls and basic records relating thereto shall be maintained for a period of three (3) years.

## XXIII PROJECT MANAGER

The Project Manager for this project is Brenda Alexander, Deputy Director of Public Works, telephone 240-487-3595, FAX 301-474-0825, e-mail [baalexander@collegeparkmd.gov](mailto:baalexander@collegeparkmd.gov).

## XXIV. ENTIRE AGREEMENT

This Contract, including attachments hereto, constitutes the entire agreement between the City and the Contractor.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

WITNESS:

CITY OF COLLEGE PARK, MARYLAND

\_\_\_\_\_  
Janeen S. Miller, CMC, City Clerk

By: \_\_\_\_\_  
Joseph L. Nagro, City Manager

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

\_\_\_\_\_  
Suellen M. Ferguson, City Attorney

WITNESS:

SHAPIRO & DUNCAN, INC.

\_\_\_\_\_  
By: \_\_\_\_\_  
Gerald M. Shapiro, President

11-G-35



March 8, 2011

Richard Sarles, General Manager  
WMATA  
600 5<sup>th</sup> Street, NW  
Washington, DC 20001

Dear Mr. Sarles,

This letter concerns the area surrounding the walkway to the pedestrian entrance on the west side of the Greenbelt Metro station property and the condition of the stream's riparian area. WMATA, in cooperation with Maryland-National Capital Park and Planning (MNCPP), clear-cut this area in response to safety concerns expressed by Metro Transit Police, local police, and College Park City Council. Decorative shrubs, several small trees, and the riparian buffer were removed including areas distant from the paved pedestrian path. Photos showing the area immediately after vegetation removal and a short while later following heavy rain are provided in Figures 1 and 2. The photos look north from the pedestrian path and show portions of the north-south fence that runs along the west border of the Metro property.

Although we appreciate the efforts taken by WMATA to try to improve safety at this site, we are concerned about the environmental impacts of this clear-cutting approach.

The stream on the WMATA property is a headwater tributary to Indian Creek, which drains into the Anacostia River. Replanting areas such as this is vital not only for on-site stormwater management but also in helping to mitigate downstream stormwater impacts. The riparian clear-cutting effort also impacted local wildlife by removing habitat along the stream. Attachment 1 further discusses both stormwater and local wildlife issues.

The City of College Park, including representatives from the City's Committee for a Better Environment (CBE) would like to request a meeting with you to discuss possibilities for replanting at the west entrance to the Greenbelt Metro Station, and also to follow up on an earlier correspondence with Metro Transit Police regarding closed-circuit cameras at the Greenbelt Station. Working together, we feel confident that we can successfully preserve the much-needed buffer and continue to maintain the safety along the pedestrian path to Lackawanna Street (following the principles of Crime Prevention through Environmental Design [CPTED] as detailed in Attachment 2). Through a partnership, we can ensure this area in our community promotes environmental sustainability while being both safe and attractive.

Sincerely,

Andrew M. Fellows  
Mayor

cc: Michael Taborn, Chief, Metro Transit Police

11-G-36

**MOTION FOR COUNCILMEMBER STULLICH  
BOARD OF ELECTION SUPERVISORS**

**11-G-36**

1) Appoint five Election Supervisors

Mayoral Appointment	Jack Robson
District 1	Terry Wertz
District 2	Maxine Gross
District 3	(To Be Determined)
District 4	Charles Smolka

2) Designation of the Chief of Elections: Jack Robson

3) Designation of the compensation for the Election Supervisors:

(To Be Determined)

Currently

Chief Election Supervisor - \$480/ year


Each Supervisor - \$360 per year

Election judges - \$13.50/hour day of election

## MEMORANDUM

**TO:** Mayor and City Council

**THROUGH:** Joseph L. Nagro, City Manager

**FROM:** Janeen S. Miller, City Clerk 

**DATE:** March 2, 2011

**RE:** Information Report: 1) Payment by local jurisdictions to their Election Staff, 2) Duties of the City's Board of Election Supervisors

### Issue 1:

At the March 1 Worksession, I was asked to find out what local jurisdictions pay their election workers. Payment is for Election Day unless otherwise indicated. The names of the positions vary between municipalities, but duties are similar. Results are shown below:

#### Takoma Park:

Chief \$175

Regular Judges \$150

Includes training for 2 hours prior to election, and Election Day from 6 a.m. to 10 p.m.

#### Riverdale Park:

Chief \$300/election day, plus \$10/hour for other work prior to election

Regular Judges \$200/election day

#### Greenbelt:

Members of the BOES for Election Day \$175

Chief Judge at each precinct \$175

Each Clerk \$135

Early Voting/Absentee Ballot Counters \$35

Training Session \$25

#### Berwyn Heights:

Chief Judge \$150

Regular Judge \$125

#### Hyattsville:

Election Judges \$150

#### Laurel:

Chair \$300

Chief Judges (2) \$200

Election Day Judges \$125

Nothing extra for training

Prince George's County:

Regular Judge	\$200 for Primary Election \$200 for General Election (14-hour day)
Training	\$50 (only if the person works both Primary and General elections)

Issue 2:

Council wanted more information about the duties of the Board of Election Supervisors during an election year vs. a non-election year. The attached information is from Jack Robson, Chief, Board of Election Supervisors.

Duties During A Non Election Year:

*Duties of the Chief:* The Chief communicates with the County annually to provide election information and to notify the County of any new buildings and/or development that change street addresses and voter records in the City. The Chief is also available to respond to requests from Council and may occasionally meet with Council on election related issues.

*Duties of the Board:* When the Chief provides information to Council in response to a request by Council or upon his own initiative, he will ask for input from the BOES. The Chief keeps in touch with the BOES throughout the year usually through e-mail.

Duties In An Election Year:

*Duties of the Chief:* Review of the Candidacy "Book," Candidacy Petition validation, review of County records, obtaining updated election rolls and voter material, approving absentee ballot applications, reviewing Campaign Finance Reports, reviewing Conflict of Interest forms, and coordinating required "public notice" of election. Preparing and making presentation at Ethics meeting for candidates. Presents formal results of the Election to the Mayor and Council.

*Duties of the Board:* Respond to Council requests as above. In addition, the election cycle generally runs from August 1 to mid-November. There is a meeting in August of the full Board to discuss all election related matters. The Supervisors then spend a lot of time lining up their judges for the election. They authorize issuance of absentee ballots in the absence of the Chief. They also receive and respond to questions from candidates/potential candidates throughout the election cycle. Complaints received by a member of the BOES are usually referred to the Chief. The Chief, in handling certain complaints, may request information from a particular Supervisor about complaints within their election districts.

*On Election Day* – Set up polls, swear in the judges, work the polls, and count the ballots after the polls close to provide unofficial results.

*Day after Election Day* – come in at about 3:30 p.m. and perform the official canvass which usually takes 4 -5 hours. Certify the results.

*Following an election* - Chief prepares election material for return to the County for update to voter rolls.

*In December or January following an election --* All Election Supervisors review the election cycle. The Chief then works with City Staff to effect any changes that are thought to be necessary for future election cycles.

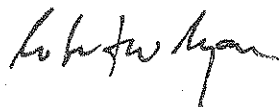
Other:

Unscheduled, infrequent events such as election challenges are handled by the entire Board and typically involve hearings and meetings as well as a written report.

Unique circumstances surrounding redistricting will involve additional time for Chief and for some or all of the supervisors to review and specifically determine street addresses included their "new" districts. Coordination with the County Board to ensure new districts are properly reflected in voter rolls.

11-G-37

## MEMORANDUM

**TO:** Mayor and City Council  
**THROUGH:** Joseph Nagro, City Manager  
**FROM:** Robert W. Ryan, Public Services Director   
**DATE:** March 4, 2011  
**SUBJECT:** Thirsty Turtle Liquor License

### ISSUE

The Board of License Commissioners (BOLC) has notified the City that a hearing is scheduled to reconsider the revocation of the liquor license ( Class B, BLX, Beer, Wine, & Liquor) for Albar LLC t/a the Thirsty Turtle, 7416 Baltimore Avenue, College Park, MD 20740.

### SUMMARY

The City has been notified of a BOLC hearing regarding the Thirsty Turtle liquor license. The hearing is scheduled for next Wednesday, March 9, 2011 at 7 p.m. in the BOLC hearing room in Hyattsville. It is my understanding that Mr. Wanuck or his attorney will request that the revocation of the Thirsty Turtle license be rescinded, and that only the voluntary forfeiture of the liquor license remain on the record. I do not believe they are seeking to reinstate the liquor license. The BOLC voted to revoke the Thirsty Turtle license at a hearing on 3.Nov.10. The liquor license was voluntarily forfeited prior to a BOLC hearing to consider a second complaint on 10.Nov.10.

Because the City did not receive a copy of the attached letter until Thursday, 3.Mar.11, even though the copy of the BOLC letter is dated 24.Feb.11, this item could not be discussed at a Council work session prior to the BOLC hearing. Therefore, there will need to be discussion of the issue at the regular meeting, and the Council should decide to take a position recommending to the BOLC that the revocation be sustained, or not. The revocation was based on a case presented by UMDPS to the BOLC regarding service of alcoholic beverages to minors during a police integrity test of all downtown bars. Chief Mitchell has been notified of this hearing and the Council meeting so that he or UM Police staff may attend and testify. Ms. Carter, attorney for Thirsty Turtle, has been notified of the Council meeting.

Further, Thirsty Turtle's City non-residential (commercial) occupancy permit (NROP) expired on 30.Nov.10. A notice was mailed on 3.Nov.10 to the owner's address of record, 9202 Wofford Lane, College Park, advising Mr. Wanuck that this permit would expire on 30.Nov.10. This notice was "returned to sender" by the USPS on 4.Nov.10 with a note that the "forward time expired", and noting 410 Glenbrook Drive,



Middletown, MD 21769-7729 as the forwarding address of record. Mr. Wanuck personally appeared at City Public services office on Wednesday, 2.Mar.11 and submitted an application to renew the expired NROP for the Thirsty turtle, as a "restaurant/catering facility". This permit application lists the owner's mailing address as 9202 Wofford, the same address the USPS advised in November of 2010 had an expired forwarding address in Middleton. To the best of City staff's knowledge, no business has been conducted at this location since the liquor license was forfeited on 10.Nov.10.

In response to a City correction order to remove signs from the building, the property owners have advised City staff that they "are currently attempting to remove the tenants from the property and have forwarded the notice to their attorneys". They are "scheduled in District Court on March 11, 2011 to ask that we be allowed to take possession of the property". The City NCOP permit application is being held pending legal advice regarding occupancy of the building.

#### **RECOMMENDATION**

The Council should consider this issue and take a position to support the BOLC revocation of the liquor license for the Thirsty Turtle, or not; and authorize City Staff to testify to the Council's position at the BOLC hearing on 9.Mar.11.



PRINCE GEORGE'S COUNTY GOVERNMENT  
BOARD OF LICENSE COMMISSIONERS



Board of License Commissioners  
5012 Rhode Island Avenue  
Room 204  
Hyattsville, Maryland 20781  
301-699-2770  
FAX: 301-985-3548

Facsimile Transmittal

From: Bob Ryan Fax: 3/3/11  
To: D. Bryant Date: 301-864-7965  
Re: \_\_\_\_\_ Pages: 3  
CC: Misty Turtle

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

Notes:



PRINCE GEORGE'S COUNTY GOVERNMENT  
BOARD OF LICENSE COMMISSIONERS



REGULAR SESSION

March 9, 2011

1. **1/a Thirsty Turtle, Albar, LLC, 7416 Baltimore Avenue, College Park, Maryland, Alan Wanuck, President/Secretary/Treasurer – Class B, BLX, Beer, Wine and liquor license – to discuss revocation/forfeiture of the alcoholic beverage license**
2. **Langley Park Boys and Girls Club, 1515 Merrimac Drive, Langley Park, Maryland, Julie Moses, President – Discussion regarding issuance of one day Class C alcoholic beverage licenses**
3. **Isalah Bongam, President, Mathias Mbah, Vice President, Nelson Apene, Secretary/Treasurer, Samuel A. Duah, Assistant Secretary, 1/a Bongamis African and Caribbean Restaurant, Class B, Beer, Wine and Liquor license, Bongam Investments Corp., 1505-11 University Boulevard, Langley Park, Maryland is summoned to show cause for alleged violations of Sections 6-201(8)(iii), 11-517(b) and Rules 9(A)(B), 26(A)(3), 26(B)(2), 26(B)(4), 26(B)(12), 26(B)(14), 29, 32 of the local rules and regulations of the Board of License Commissioners to wit: That on Sunday morning, January 9, 2011, at approximately 3:25 a.m., Deputy Chief Albert J. Fanelli did observe the selling and consumption of alcoholic beverages at times not permitted by law; that additionally the agents of the licensees were uncooperative regarding this alleged violation.**
4. **James Ellis, Chief Executive Officer, 1/a PEP Star Café, PEP Star Inc., Class B, Beer, Wine and Liquor license., 12530 Fairwood Parkway, Bowie, Maryland, is summoned to show cause for alleged violations of Section 10-504 of Article 2B and Rule 33 of the local rules and regulations of the Board of License Commissioners to wit: That the licensee has vacated the licensed premises.**
5. **1/a El Tapatio Mexican Restaurant, El Tapatio Inc., 4309 Kenilworth Avenue, Bladensburg, 20710, Beronica Navarro is summonsed to show cause for alleged violations of Sections 10-401(a)(3)(iii), 16-301(a) of Article 2B of the Annotated Code of Maryland and Rules 16, 26(b)(4), 26(B)(7), 26(B)(13), 29 of the local rules and regulations of the Board of License Commissioners to wit: That on Sunday morning, November 21, 2010, at approximately 1:00 a.m., loud music was emanating from the licensed premises; that the music disturbed the peace and tranquility of the community.**



**PRINCE GEORGE'S COUNTY GOVERNMENT**  
**BOARD OF LICENSE COMMISSIONERS**



February 24, 2011

Linda Carter, Esquire  
6801 Kenilworth Avenue  
Suite 400  
Riverdale Park, Maryland 20737

RE: 1/8 Thirsty Turtle  
Class B, BLX, Beer, Wine and Liquor

Dear Ms. Carter:

During Regular Session on February 22, 2011, the Board of License Commissioners met regarding the above captioned.

The Commissioners approved your client's appearance on March 9, 2011 for the acceptance of testimony regarding the revocation/forfeiture of the alcoholic beverage license (#17 BLX 661). The hearing will be held on:

March 9, 2011  
7:00 p.m.  
5012 Rhode Island Avenue  
Hearing Room 200  
Hyattsville, Maryland 20781

Should you have any questions, please do not hesitate to contact our office.

Sincerely yours,

A handwritten signature in cursive script that reads "Franklin D. Jackson".

Franklin D. Jackson  
Chairman

CC: The Honorable Andrew Fellows  
Mr. Robert Ryan, Director